

MURDER INDICATED BY WOUND

YOUNG'S HAND POWDER MARKED, THOUGH; THE GIRL'S NOT.

O'Hanlon Didn't Know She Had Gloves and Thought the Case Was Probably Suicide—Does Not Think So Now—Skeleten Again Up in Patterson Trial.

For the second time Nan Patterson saw two doctors, yesterday, indicate with long needles on a skeleton the course taken by the bullet that killed Bookmaker Cesar Young. The skeleton had been placed on a table in the room where the women were lined up around the back of the court room, and their bobbing, varied colored hats suggested wall flowers. The production of the skeleton evidently furnished one of the sensations they had been hoping for.

The chorus girl had shifted from the black dress she wore on the day before to the steel gray gown she had made in the Tomb. She was bright and cheery. To get to her seat at her counsel's table she had to parade past the women who lined the wall. They were pleased.

What the counsel for the defense considered a point in their favor was brought out almost at the close of the day's session. Dr. Philip F. O'Hanlon, the Coroner's physician who made the autopsy on Young's body, had been illustrating with the aid of the skeleton where the bullet entered high up on the left shoulder and the downward line it followed until it struck the fourth dorsal vertebra and deflected. ABE LEVY, cross-examining Dr. O'Hanlon, wanted to know if the mere striking of the spinal wall would necessarily cause paralysis.

"Certainly not," said the witness. "Then," pursued Mr. Levy, illustrating with the pistol, "could a man who had fired a shot into his shoulder and the point you indicate drop the pistol into his right hand pocket?"

"He might drop it anywhere," said the doctor. "There would be muscular relaxation. I can't say just where he would drop it."

"Now," said Mr. Levy impressively, "did you report to the Coroner's office, after you had made the autopsy, that Cesar Young had committed suicide?"

"I reported it as a case of suicide," said Dr. O'Hanlon.

"That was your best judgment; that Young had committed suicide?" persisted Mr. Levy.

"It was my balanced judgment," replied the doctor.

"What do you mean by that?"

"That was my impression that he had committed suicide. But I felt that it was a matter for a jury to decide. I had found two powder stains on the inside of the index finger of the right hand, but the character of the wound was not usual in suicides. I told Coroner Brown that it was a question for the jury."

"Now, as to the defendant, were there any powder marks on her hands?" continued Mr. Levy.

"I made an examination and smelled her hands, but could get no trace of powder marks or the smell of powder."

"That's all," said Mr. Levy in a satisfied tone.

Mr. Rand was on his feet firing a volley of questions at the witness before Mr. Levy was fairly in his seat.

"Now," began Mr. Rand, "did you ever see a case where a suicide put the pistol in his right hand coat pocket?"

Mr. Levy held up a finger warning Mr. O'Hanlon, but he had answered, "No, sir," before Mr. Levy got in his objection. Mr. Levy accused him of lying in with the prosecution. Recorder Goff ruled out the answer.

"Did you examine the defendant's gloves?" queried Mr. Rand.

"I didn't know she had any," said the doctor. (The gloves had disappeared.)

"I hand you the report you made to Coroner Brown. Is there anything in that report that says Young committed suicide?"

Dr. O'Hanlon examined the report carefully and couldn't find any such statement. He said it was his impression that he had made such a report. He remembered that he had told Coroner Brown that he thought it was suicide, although an investigation should be made.

"What did the direction of the wound indicate to you?" finally asked Mr. Rand.

"Murder," said the witness, "but I couldn't twist myself around that far."

Then Mr. Levy held the revolver reversed, and, snapping it with his thumb, pointed it at his own body to suggest that Young might have shot himself that way.

William Stemm, Jr., the young truckman who heard the shot that killed Young, said he didn't see any one in the cab until it stopped in front of Foster's drug store in West Broadway. Then Young, who had been sitting on Nan Patterson's right, was lying across her knees, both arms in front of him, one hand holding the revolver and the other resting in his lap. At the hospital Nan Patterson threw herself on Young's body, saying, "Speak to me, Frank, and tell me why you done this!" then she turned Young's face toward hers, Stemm said.

Frederick Michaels, the cabdriver, swore that he didn't look into the cab after the shot. Nan Patterson told him to drive to a hospital and he did.

"Why didn't you look inside?" asked Juror Goldstone.

"It wasn't my place," answered Michaels. "Suppose I looked in and got shot. What then?"

H. R. Limburger, counsel for J. Morgan Smith and his wife, served notice on the District Attorney yesterday of a motion he will make before Judge Foster in Special Sessions tomorrow to dismiss the conspiracy indictments against the Smiths on the ground of insufficient evidence, practically all of which relate in effect to the testimony of the Hon. William Stemm, Jr., Assistant District Attorney and not the testimony of the witnesses.

Hyman Stern, the pawnbroker who sold the pistol with which Young was killed, will probably be a witness to-day.

WANTS \$15,185 ALIMONY.

Ferdinand Hofele's Former Wife Says He Has Disobeyed the Court.

Unless he pays up before the 1st of May, Ferdinand Hofele of the Hofele Iron Works at Jerome avenue and 17th street is likely to have the distinction of falling into contempt of court for non-payment of \$15,185 alimony.

Twenty-three years ago, on Feb. 2, 1882, Juliana Hofele obtained a divorce in Kings county, with alimony for herself and her two children, Caroline and Paul, at the rate of \$80 a month. In seven years, she says, Hofele did contribute about \$1,375 toward her expenses, but since 1889 she alleges he has not paid her a cent. In 1893, she had him arrested for non-payment, but he was released on his promise to obey the Court's order in the future.

Mrs. Hofele says that she has had to work to support and educate her children. Now they are grown up and the son married and established in a home of his own. The daughter is a schoolteacher. The mother complains that she is too old and feeble and broken in spirit to work any longer for a living, and so she wants the court to compel her former husband to obey its order.

An ex parte order has been obtained requiring Hofele to show cause on Monday next, unless he pays up meanwhile, why he should not be held to be in contempt for failure to pay his wife the \$15,185 she says he owes her.

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We also offer the following lots of velvet and tapestry carpets very much under-price:

Wilton Velvet, 10 patterns at \$1. from \$1.50
 Regular Velvet, 20 patterns at 85c. from \$1.15
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THIS is the season when well-informed women most appreciate the peculiar merits of the Warner Rust-proof Corsets. They are made by one of the best-known concerns in the business. The materials used are carefully selected, and of excellent qualities throughout. The models are skillfully designed, the boning is excellent, and the corsets are shown in a variety of shapes, to suit practically all figures.

The prices are quite moderate, starting with an excellent model at \$1, made of fine batiste, trimmed with lace, and designed for women of slender figure, medium bust, small waist; finished with supporters.

The picture illustrates Style 353 Warner Corset, which is a model for the average full figure, properly shaping the hips and rounding the form in most pleasing manner. The corset is made of fine batiste, and the price is \$2.

Another excellent model for tall, full figures is made with high bust, small tapering waist and long back. It is handsomely trimmed; supporters at front and sides. Price, \$2.50.



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ALDERMEN'S POWERS AT STAKE

ARGUMENT FOR AND AGAINST THE DISABLING BILLS.

Charter Revisers Bartlett and De Witt support the bill. Laffin Kellogg and John F. Dillon oppose them—Can the Legislature Amend the Charter.

Mayor McClellan gave a public hearing yesterday on the bills taking from the Aldermen all power in the granting of franchises. The hearing did not draw a crowd and the arguments were made only by lawyers expert in civic and constitutional laws. Col. Franklin Bartlett, who was one of the Charter Revision Commissioners and who appeared for several corporate interests and for the New York Connecting Railroad Company, spoke in favor of the bill, and said at the outset of his address that it was not his intention to make any strictures upon the Aldermen, but merely to urge that the best interests of the city demanded the enactment of the bills. No political question, he said, was involved. Because of the delays caused by the Aldermen in bringing forward for consideration franchise applications which concerned the convenience and benefit of the traveling public of all the boroughs it had been deemed advisable by those who had been instrumental in having the bills introduced into the Legislature to transfer their jurisdiction over franchises to the Board of Estimate. Col. Bartlett argued that the Board of Estimate was not only more directly responsible to the people of the city as a whole but was more representative of the entire electorate of the city.

William C. De Witt, one of the original Charter commissioners and also a reviser, said that the principal question was whether the Board of Estimate or the Aldermen was more fitted to carry out the provisions of the Constitution regarding the giving of consent to franchises by the local legislative authority. Mr. De Witt maintained that the Charter intended that an Alderman should be potential only in his own district and in the councils of his local improvement board and that it did not contemplate making him potential in the larger affairs of the municipality. In proof of this argument Mr. De Witt pointed out that the Aldermen as a body had very little power to initiate legislation and had no authority to change recommendations sent for concurrence by the Board of Estimate.

L. Laffin Kellogg and ex-Judge John F. Dillon led the opposition to the signing of the bills. Mr. Kellogg insisted that the measures aimed at violating the home rule sections of the Constitution in that the State Legislature was endeavoring to dictate to the people of this city which of its elective bodies should have control of its local affairs. Judge Dillon maintained that the proposed bills were not constitutional, for the reason that they took from the Aldermen the jurisdiction belonging to them of right over the streets and highways of the city.

"No more flagrant, intrusive and, I believe, unnecessary and certainly unconstitutional act has been imagined," Judge Dillon said to the Mayor. "Whether the powers and liberties of this great city are to be crushed out by the iron heel of Albany is to my mind one of the most important considerations which in your administrative capacity you will have to consider in your action on this bill."

The Aldermen believe that Mayor McClellan will take the views advanced by Mr. Kellogg and Judge Dillon and will veto the bills. In that event it is well understood from the reports which have come from the Republican leaders at Albany that the measures are to be re-passed over his veto. The Mayor has until Saturday to act.

To the Fishing Banks.

The Iron Steamboat Company's ocean-going steamer Taurus has resumed service to the fishing banks. During the winter this boat has been thoroughly overhauled and many improvements have been made for the comfort of the anglers.

CORTRIGHT DOESN'T RETIRE.

Offers to Do So, but Burns Letter at Mr. McAdoo's Request.

Moses W. Cortright, Chief Police Inspector, sent an application for retirement to Commissioner McAdoo yesterday. An hour later the Commissioner announced that he had returned the application and Inspector Cortright said he had turned it. This is Mr. McAdoo's statement concerning the affair.

Chief Inspector Cortright tendered me this morning a request that he be retired under the law. Immediately I wrote him asking if the decision was final so far as his retirement was concerned, and if he would not consent to remain at least until after the police parade. He called on me, and we talked over the situation. He seemed to labor under the impression that I had desired his retirement from the force, which is not so. Being assured of this, he has withdrawn his request, and will remain in the department.

It has been generally thought around Police Headquarters for several months that Mr. McAdoo really wanted Cortright to get out. The Chief Inspector recently underwent a physical examination before the Board of Police Surgeons, and was found physically fit for duty. Cortright, when asked yesterday about the situation, would say nothing. It was the general impression at Headquarters, however, that he would get out after the police parade.

Inspector Cortright was appointed to the police force thirty-eight years ago. He is 65 years old and a veteran of the civil war. For several years he has been drawing \$5,000 a year salary, having been appointed a deputy chief before the consolidation of the five boroughs. On retirement he will receive \$2,500 a year pension.

NEW RULE FOR CHINATOWN.

Captain Kear Retires—Eggers and His Men to Replace Precinct Streets.

Capt. Francis J. Kear, who has been in command of the Elizabeth street police precinct, which includes Chinatown, where Acting Captain Eggers made several raids on Sunday night, resigned from duty yesterday. The resignation was accepted by Commissioner McAdoo, who gave out the statement regarding it.

I have this day received the application of Capt. Francis J. Kear, for retirement under the law. He has been a member of the police force since 1867, with the remarkable record of never having had a complaint made against him. Capt. Kear retires because of ill health.

Mr. McAdoo explained later that Kear would be on the force twenty-five years in less than a month. In order that he might be legally entitled to a pension of half a captain's salary he has been put on a thirty days vacation. The resignation will take effect at the end of that time.

In connection with Kear's retirement, Mr. McAdoo announced that the plain clothes men and precinct detectives in Chinatown would be withdrawn.

"The police work in Chinatown," said the Commissioner, "will hereafter be performed by men under Acting Captain Eggers. The men to do this work will be carefully selected, and will be changed from time to time as the exigencies of the service require."

LUNCHEON FOR MRS. FAIRBANKS.

Wife of the Vice-President Guest of the Women Republicans.

After several futile attempts, Mrs. Charles Warren Fairbanks, wife of the Vice-President, was finally landed at a luncheon given by the members of the Woman's Republican Association, in Delmonico's, yesterday afternoon. But it took the strength of the entire Woman's State Republican Association to do it.

Mrs. Fairbanks sat next the President, and was, of course, the chief guest of honor and the first to respond to a toast.

"Patriotism" had been assigned to her, and she told the women some things about setting examples of patriotism and loyalty in their own homes.

"In favor of politics," she said, "I was brought up on politics in Ohio, and when I married I went to live where they say that there is more politics to the square inch than in any other part of the United States. That is Indiana. I believe that there is no better way of showing your devotion to your country than in helping to purify politics."

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WAYS OF JAPANESE WOMEN.

NO OLD MAIDS IN HIS COUNTRY, SAYS MR. UCHIDA.

But There May Be After the War, for There Will Perhaps Be More Women Than Men—Talk to Wells College Alumni—Mrs. Grover Cleveland Present.

Nearly a hundred members of the Eastern Association of Wells College attended the twenty-second annual reunion and luncheon at Sherry's yesterday afternoon. At the same time the Western Association was luncheon at Chicago and greetings were exchanged by telegraph.

The principal speaker at Sherry's yesterday was Consul-General Sadachiro Uchida and his subject was "The Education of Japanese Women." Some things he said proved of great interest to the women. One was that in Japan there is no such thing as an old maid; all women get married between the ages of 16 and 25.

"Most books on Japan," began Mr. Uchida, "are written by superficial observers, and therefore not authoritative; for instance, Pierre Loti's novel, 'Mme. Chrysanthe,' no more represents the Japanese woman than Daudet's 'Sapho' represents the French woman. Japanese women would be greatly shocked if they saw themselves portrayed by such characters, and are contemptuous of 'The Geisha Girl,' 'The Mikado,' and other comic operas."

"Very women of the middle class are most self-sacrificing and when the war broke out a great many of them volunteered as nurses and bandage makers; many started societies to aid widows and orphans, and Japanese mothers all have the courage and pluck to urge their sons on, rather than to deplore their going to war."

There is one strange thing in Japan not matched in any other country; there are no old maids in Japan. Between the ages of 16 and 25 all the girls get married, because there are so many more men than women in Japan.

This war, however, may upset the balance of the sexes. So many men are being killed and so many widows are being made that Japan may find a lot of old maids on its hands.

The main purpose of Japanese education for women is to make them good wives and mothers. In school they are taught how to sew and cook, how to keep their social position, and how to be good mothers. Steadily their social position is advancing and now they are permitted to own property. In America the men are still struggling for equal rights with the women. Judging from observation in street cars and restaurants women are still the superior members of society."

Miss Helen Fairchild Smith, dean of the college, then announced that Edwin Morgan, United States Minister to Korea, and the other heirs of the late Henry A. Morgan, have expressed a readiness to give a building in street cars and restaurants women are still the superior members of society."

Some of those present were Mrs. Grover Cleveland, Mrs. Clarence M. Phillips, Miss Anderson, Mrs. C. L. Edlitz, Miss M. Helena Zachee, Miss Minna Putti, Mrs. Colin Campbell Cooper, Charles H. Russell and Prof. Winchester of Wesleyan University.

Trouble on Cruiser Galveston.

Galveston, Tex., April 25.—The United States cruiser Galveston arrived here to-day with sixty of her crew in irons. It was reported that there had been trouble aboard the ship and that twenty-six of the crew had deserted.

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Pajamas For Ladies and Children. On April the 26th.

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Ladies' black or ecru Sateen bloomers. 50c. Value 1.00

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CHILD STRICKEN IN SCHOOL.

Death Result, It Is Feared by the Doctors, From Meningitis.

Martha Wahlisch, 7 years old, of 66 Bay Twenty-second street, Bath Beach, had convulsions in a classroom at School 128 yesterday afternoon. The teachers cared for her and she was able to return to her studies. When she went home she had another attack, and in spite of the efforts of four doctors she died. The physicians reported the case to the Coroner, saying they could not diagnose the case, but that it resembled poisoning or acute spinal meningitis. An autopsy will be held.

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Boys wear W. L. Douglas \$2.50 and \$2.00 shoes because they fit better, hold their shape and wear longer than other makes.

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seats for several hundred children. This offer will materially aid Bishop Potter's plan of turning the cathedral grounds into a playground for the children of the Stanton street mission. The place will be cleared and the unfinished buildings fenced off. Mr. Miller, secretary of the board of trustees, announced a gift of \$5,000 to the cathedral from E. H. Harriman and one of \$1,000 from Charles Scribner.